

Serial No.: 09/742,745

Attorney's Docket No.:10559/432001/P10502

REMARKS

Claims 1-9 and 13-20 are pending. Independent claims 1, 9, 10 and 16 have been amended. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1, 2, 4, 6 and 8 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Levitan (EP0605872 A1). Claims 9, 13 and 15 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Gaertner (5,996,063). Claim 7 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Levitan. Claim 3 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Levitan in view of Gschwind (6,189,088). Claim 5 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Levitan in view of Tran (6,003,128). Claim 14 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Gaertner in view of Levitan. Claims 10-11, 16-17 and 20 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Levitan in view of Hennessy. Claims 18 and 19 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Levitan in view of Hennessy as applied to claims 16-17 and 20 above, and further in view of Nakada (5,638,526). These contentions are respectfully traversed.

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A telephone interview with Examiner Gerstl was conducted on January 5, 2005. The interview was very much appreciated. During the interview, the independent claims were discussed in light of Levitan and Gaertner. New claim language was proposed for independent claim 1 to clarify that the claimed stages are hardware stages and that multiple adjustment values are calculated, for a single register, concurrently at multiple respective hardware stages. Thus, for example, the single register can be a speculative register in a pipelined processor, where multiple differential counters are maintained at multiple respective pipeline stages, and when a kill at stage X is encountered, the speculative counter can be adjusted by the differential counter at stage X. During the interview, agreement was reached that the proposed clarifying language, which has now been added to the claims, would overcome the art of record, subject to further search and review.

In view of this clarifying amendment, independent claims 1, 9, 10 and 16 should now be in condition for allowance. Dependent claims 2-8, 11, 13-15 and 17-20 are patentable for at least the above reasons and based on their own merits.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be

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exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

It is respectfully suggested for all of these reasons, that the current rejection is totally overcome; that none of the cited art teaches or suggests the features which are claimed, and therefore that all of these claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.

Additionally, please note that an Information Disclosure Statement was filed on August 9, 2004. Applicant's representative appreciates the Examiner's confirmation that this submission has been received. Consideration of this submission and return of the initialed 1449 form are respectfully requested.

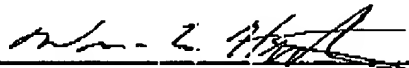
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Should there be any questions, please feel free to call.
Please apply any necessary charges or credits to Deposit Account
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Respectfully submitted,

Date: 01/05/05


William E. Hunter
Reg. No. 47,671
Attorney for Intel Corporation

Fish & Richardson P.C.
PTO Customer Number: 20985
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10462222.doc